

DECLARATION AND POWER OF ATTORNEY

USA/PCT

As a below named inventor, I hereby declare that:

- (a) My residence and Citizenship are as stated below my name. My P.O. (mailing) address is the same as my residence unless otherwise stated.
- (b) I verily believe I am/we are the original, first and sole/joint inventor(s) of the subject matter that is embraced by and for which a patent is sought on the invention entitled: **GAS PERMEATION RESISTANT SYNTHETIC CORK CLOSURE** and the specification of which: ☐ is attached hereto (_____) (check one) ☒ was filed on September 10, 2001 as (60665A). Application No. 09/950,345 and was amended on _____

- (c) I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.
- (d) I acknowledge my duty under 37 CFR 1.56 to disclose to the U.S. Patent and Trademark Office all information known to me to be material to patentability as defined in 37 CFR 1.56(b). If this application is a continuation-in-part application, I acknowledge the duty to disclose all information known to me to be material to patentability as defined in 37 CFR 1.56(b) that became available between the filing date of the prior application from which priority is claimed in part (f) below, and the national or PCT international filing date of this application.
- (e) I hereby claim foreign priority benefits under 35 U.S.C. § 119(a)-(d) or §365(b) of any foreign application(s) for patent or inventor's certificate listed below or §365(a) of any PCT international application that designated at least one country other than the United States of America listed below, and also identify below any other foreign equivalent application for patent or inventor's certificate or any other equivalent PCT international application having a filing date before that of the application on which priority is claimed:

Number	PRIOR FOREIGN APPLICATION(S) Country or PCT	Day/Month/Year Filed	PRIORITY CLAIMED	CERTIFIED COPIES INCL.
<input type="checkbox"/>	Additional claims for benefit are attached.		<input type="checkbox"/>	<input type="checkbox"/>

- (f) I hereby Claim the benefit under 35 U.S.C. §119(e) of any United States provisional application(s) listed below, or under 35 U.S.C. §120 of any United States application(s), or under § 365(c) of any PCT international application designating the United States of America listed below:

US or PCT Appln. Serial No.	Filing Date	Status at Application Filing Date
<u>60/232,019</u>	<u>September 12, 2000</u>	<u>Pending</u>
<input type="checkbox"/>	Additional claims for benefit are attached.	

I hereby appoint the attorney(s) and/or agent(s) at the following Customer No. to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith. Address all correspondence to The Dow Chemical Company's appointed counsel at:



This appointment, including the right to delegate this appointment, shall also apply to the same extent it is applicable under the laws of the United States of America to any proceedings established by the Patent Cooperation Treaty.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both under 18 U.S.C. § 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Inventor(s):

At: Ontario, Canada N7T7H4
this 15 day of February, 2002

Signature: Daniel J. Falla
Full Name: Daniel J. Falla
Residence: 2105 Blackwell Road
Sarnia, Ontario N7T7H4
Country: Canada
Citizenship: Canada
P. O. Address: Same as Residence

At: Midland, Michigan 48674, USA
this 20 day of February, 2002

Signature: Michael L. Mounts
Full Name: Michael L. Mounts
Residence: 1577 South Ford Court
Midland, Michigan 48640
Country: United States of America
Citizenship: United States of America
P. O. Address: Same as Residence

At: Midland, Michigan 48674, USA
this 20 day of February, 2002

Signature: Deborah E. Plaver
Full Name: Deborah E. Plaver
Residence: 5021 Redfern Circle
Midland, Michigan 48642
Country: United States of America
Citizenship: United States of America
P. O. Address: Same as Residence

At: Benicia, California, 94510, USA
this ____ day of _____, 20____

Signature: _____
Full Name: Stuart I. Yaniger
Residence: 484 Jasper Court
Benicia, California 94510
Country: United States of America
Citizenship: United States of America
P. O. Address: Same as Residence

☐ Additional names and signatures are attached.

ADDED PAGE TO COMBINED DECLARATION AND POWER OF ATTORNEY
FOR SIGNING BY ONE JOINT INVENTOR ON BEHALF OF OMITTED
INVENTOR WHO REFUSES TO SIGN OR CANNOT BE REACHED (37 CFR
1.47a)

- I. I am an above named joint inventor and have signed this declaration on my own behalf and also sign this declaration under 37 CFR 1.47(a) on behalf of the omitted joint inventor, particulars for whom are:

Stuart Yaniger
omitted inventor who

- ☒ refuses to sign
☐ cannot be found or reached

Country of Citizenship of omitted inventor
United States of America

Last known address of omitted inventor

484 Jasper Court
Benicia, CA 94510

- II. Accompanying this declaration is:
(1) A Petition as required by 37 CFR §1.47(a)
(2) The Petition fee of \$130.00 (37 CFR §1.17(h))


DANIEL J. FALLA

Date: February 15, 2002

MAILED

By: 

ADDED PAGE TO COMBINED DECLARATION AND POWER OF ATTORNEY
FOR SIGNING BY ONE JOINT INVENTOR ON BEHALF OF OMITTED
INVENTOR WHO REFUSES TO SIGN OR CANNOT BE REACHED (37 CFR
1.47a)

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Stuart Yaniger
omitted inventor who

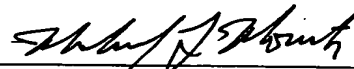
- ☒ refuses to sign
☐ cannot be found or reached

Country of Citizenship of omitted inventor
United States of America

Last known address of omitted inventor

484 Jasper Court
Benicia, CA 94510

- II. Accompanying this declaration is:
(1) A Petition as required by 37 CFR §1.47(a)
(2) The Petition fee of \$130.00 (37 CFR §1.17(h))



MICHAEL L. MOUNTS

Date: February 20, 2002

ADDED PAGE TO COMBINED DECLARATION AND POWER OF ATTORNEY
FOR SIGNING BY ONE JOINT INVENTOR ON BEHALF OF OMITTED
INVENTOR WHO REFUSES TO SIGN OR CANNOT BE REACHED (37 CFR
1.47a)

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Stuart Yaniger
omitted inventor who

- ☒ refuses to sign
☐ cannot be found or reached

Country of Citizenship of omitted inventor
United States of America

Last known address of omitted inventor

484 Jasper Court
Benicia, CA 94510

- II. Accompanying this declaration is:

- (1) A Petition as required by 37 CFR §1.47(a)
(2) The Petition fee of \$130.00 (37 CFR §1.17(h))

Deborah E. Plaver

DEBORAH E. PLAVER

Date: February 20, 2002

MAILED

By: g

FEB 22 2002

COPY

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant (s): Falla, et al.

Serial No.: 09/950,345

Group Art Unit: 3227

Filed: September 10, 2001

Examiner: Unknown

For: GAS PERMEATION RESISTANT SYNTHETIC CORK CLOSURE

THEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL WITH SUFFICIENT POSTAGE IN AN ENVELOPE ADDRESSED TO: ASSISTANT COMMISSIONER FOR PATENTS, WASHINGTON, DC 20231, ON: February 22, 2002 DATE OF DEPOSIT PRINT OR TYPE NAME OF PERSON SIGNING CERTIFICATE <i>Beth Wagner</i> SIGNATURE OF PERSON SIGNING CERTIFICATE February 22, 2002 DATE OF SIGNATURE

Hon. Commissioner of Patents & Trademarks
Washington, D.C. 20231

Sir:

DECLARATION OF NEMIA C. DAMOCLES

I, Nemia C. Damocles, a registered patent agent of the United States Patent and Trademark Office, having Registration No. 28,368, and residing at 808 Honeysuckle Circle, Midland County, State of Michigan, United States of America, do hereby declare that:

1. I am a registered member of the patent bar since 1977, and am presently employed by The Dow Chemical Company as a patent agent at their Midland headquarters.
2. In connection with my duties, I prepared a patent application designated by Agent docket No. C-60665A and entitled "Gas Permeation Resistant Synthetic Cork Closure."
3. On October 1, 2001, the application was mailed to Mr. Yaniger by Federal Express for his perusal, with the formal papers and the appended letter of the

60665A

MAILED

By: *g*

FEB 22 2002

COPY

same date requesting Mr. Yaniger to execute the papers necessary to file an application.

4. Bethany Wagner, an office professional working in the Intellectual Property Section of the Legal Department of The Dow Chemical Company, started calling Mr. Yaniger the end of November, 2001 and was told that Mr. Yaniger was out of town from December 3 until the week of December 10, 2001.

5. On December 3, 2001, Ms. Wagner left a message on Mr. Yaniger's office telephone and cell phone for him to call her back.

6. On December 7, 2001, Ms. Wagner spoke with Mr. Yaniger who told her that he had signed the formal papers and that he was checking with his secretary to make sure that the papers were sent out.

7. On December 18, 2001, Ms. Wagner telephoned Mr. Yaniger to check if he had followed-up with his secretary regarding the mailing of the formal papers, but he was not around, so Ms. Wagner left a message for him on his office telephone to call her back.

8. On January 7, 2002, Ms. Wagner telephoned Mr. Yaniger again and left a message on his office telephone for him to return her call.

9. On January 11, 2002, Ms. Wagner mailed to Mr. Yaniger by Federal Express another set of the application and formal papers with the appended letter of the same date.

10. On February 12, 2002, Ms. Wagner telephoned Mr. Yaniger again and left a message on his office telephone for him to return her call.

11. Until now, Mr. Yaniger has not returned the formal papers to The Dow Chemical Company.

12. The application papers were executed by the coinventors Mr. Daniel J. Fall, Mr. Michael L. Mounts and Ms. Deborah E. Plaver on February 15, 2002, February 20, 2002 and February 20, 2002, respectively.

COPY

The undersigned declares further that all statements made herein of her own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date February 22, 2002

Nemia C. Damocles
Nemia C. Damocles

COPY

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant (s): Falla, et al.

Serial No.: 09/950,345

Group Art Unit: 3227

Filed: September 10, 2001

Examiner: Unknown

For: GAS PERMEATION RESISTANT SYNTHETIC CORK CLOSURE

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL WITH SUFFICIENT POSTAGE IN AN ENVELOPE ADDRESSED TO: ASSISTANT COMMISSIONER FOR PATENTS, WASHINGTON, DC 20231, ON: February 22, 2002 DATE OF DEPOSIT Joslyn M. Damore PRINT OR TYPE NAME OF PERSON SIGNING CERTIFICATE Joslyn M. Damore SIGNATURE OF PERSON SIGNING CERTIFICATE February 22, 2002 DATE OF SIGNATURE	
--	--

Hon. Commissioner of Patents & Trademarks
Washington, D.C. 20231

Sir:

DECLARATION OF BETHANY WAGNER

I, Bethany Wagner, residing at 7355 Midland Road, Apt. 7, Saginaw County, State of Michigan, United States of America, do hereby declare that:

1. I am presently employed by the Dow Chemical Company as an office professional working in the Intellectual Property Section of the Legal Department at their Midland headquarters.
2. On October 1, 2001 I mailed the application to Mr. Yaniger by Federal Express for his perusal, with the formal papers and the appended letter of the same date requesting Mr. Yaniger to execute the papers necessary to file an application.
4. I started calling Mr. Yaniger the end of November, 2001 and was told that Mr. Yaniger was out of town from December 3 until the week of December 10, 2001.

MAILED

By: 

60665A

FEB 22 2002

COPY

5. On December 3, 2001, I left a message on Mr. Yaniger's office telephone and cell phone for him to call me back.

6. On December 7, 2001, I spoke with Mr. Yaniger who told me that he had signed the formal papers and that he was checking with his secretary to make sure that the papers were sent out.

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11. Until now, Mr. Yaniger has not returned the formal papers to The Dow Chemical Company.

12. The application papers were executed by the coinventors Mr. Daniel J. Fall, Mr. Michael L. Mounts and Ms. Deborah E. Plaver on February 15, 2002, February 20, 2002 and February 20, 2002, respectively.

The undersigned declares further that all statements made herein of her own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any

USSN 09/950,345

patent issuing thereon.

COPY

Date February 22, 2002

Bethany Wagner
Bethany Wagner

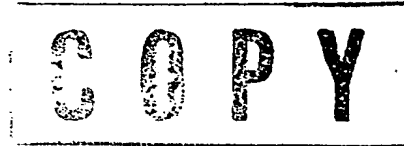


The Dow Chemical Company
Midland, Michigan 48674

January 11, 2002

ATTORNEY/CLIENT PRIVILEGED

Mr. Stuart Yaniger
484 Jasper Court
Benicia, California 94510



DOW APPLICATION 60665A

Enclosed for your perusal is the patent application identified above which has been prepared for your signature. Please comply with the following procedures to complete the formal papers for this application.

A. Formal Papers For Application

1. Declaration and Power of Attorney (must be signed in presence of a Notary) inserted as last page of the Application for Letters Patent. Please sign your name as it appears on the Declaration; also write in the date and place (city, state) of your signature. The Notary will execute the Notarial Certificate page.

B. Return the following papers of this case in the enclosed FedEx envelope to the Intellectual Property Section: (1) Declaration and Power of Attorney; and (2) the Notarial Certificate

If you should have any questions regarding changes or corrections, please telephone to discuss this with me before signing. The applications must not be altered in any way after execution.

Please complete the above procedure as quickly as conveniently possible.

Nemia C. Damocles

Nemia C. Damocles
Intellectual Property Section
Phone: (989) 636-9928
Fax: (989) 636-3237

NCD/bjw

Enclosure



October 1, 2001

The Dow Chemical Company
Midland, Michigan 48674

ATTORNEY/CLIENT PRIVILEGED

Mr. Stuart Yaniger
484 Jasper Court
Benicia, California 94510

COPY

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Nemia C. Damocles
Nemia C. Damocles
Intellectual Property Section
Phone: (989) 636-9928
Fax: (989) 638-9785

blw

Enclosure

DECLARATION AND POWER OF ATTORNEY

USA/PCT

As a below named inventor, I hereby declare that:

- (a) My residence and Citizenship are as stated below my name. My P.O. (mailing) address is the same as my residence unless otherwise stated.
- (b) I verily believe I am/we are the original, first and sole/joint inventor(s) of the subject matter that is embraced by and for which a patent is sought on the invention entitled: **GAS PERMEATION RESISTANT SYNTHETIC CORK CLOSURE** and the specification of which: ☐ is attached hereto (_____) (check one) ☒ was filed on September 10, 2001 as (60665A). Application No. 09/950,345 and was amended on _____

- (c) I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.
- (d) I acknowledge my duty under 37 CFR 1.56 to disclose to the U.S. Patent and Trademark Office all information known to me to be material to patentability as defined in 37 CFR 1.56(b). If this application is a continuation-in-part application, I acknowledge the duty to disclose all information known to me to be material to patentability as defined in 37 CFR 1.56(b) that became available between the filing date of the prior application from which priority is claimed in part (f) below, and the national or PCT international filing date of this application.
- (e) I hereby claim foreign priority benefits under 35 U.S.C. § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate listed below or § 365(a) of any PCT international application that designated at least one country other than the United States of America listed below, and also identify below any other foreign equivalent application for patent or inventor's certificate or any other equivalent PCT international application having a filing date before that of the application on which priority is claimed:

Number	PRIOR FOREIGN APPLICATION(S) Country or PCT	Day/Month/Year Filed	PRIORITY CLAIMED	CERTIFIED COPIES INCL.
<input type="checkbox"/>	Additional claims for benefit are attached.		<input type="checkbox"/>	<input type="checkbox"/>

- (f) I hereby Claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below, or under 35 U.S.C. § 120 of any United States application(s), or under § 365(c) of any PCT international application designating the United States of America listed below:

US or PCT Appln. Serial No.	Filing Date	Status at Application Filing Date
<u>60/232,019</u>	<u>September 12, 2000</u>	<u>Pending</u>
<input type="checkbox"/>	Additional claims for benefit are attached.	

I hereby appoint the attorney(s) and/or agent(s) at the following Customer No. to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith. Address all correspondence to The Dow Chemical Company's appointed counsel at:



This appointment, including the right to delegate this appointment, shall also apply to the same extent it is applicable under the laws of the United States of America to any proceedings established by the Patent Cooperation Treaty.

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Inventor(s):

At: Ontario, Canada N7T7H4
this 15 day of February, 2002

Signature: Daniel S. Falla
Full Name: Daniel J. Falla
Residence: 2105 Blackwell Road
Sarnia, Ontario N7T7H4
Country: Canada
Citizenship: Canada
P. O. Address: Same as Residence

At: Midland, Michigan 48674, USA
this 20 day of February, 2002

Signature: Michael L. Mounts
Full Name: Michael L. Mounts
Residence: 1577 South Ford Court
Midland, Michigan 48640
Country: United States of America
Citizenship: United States of America
P. O. Address: Same as Residence

At: Midland, Michigan 48674, USA
this 20 day of February, 2002

Signature: Deborah E. Plaver
Full Name: Deborah E. Plaver
Residence: 5021 Redfern Circle
Midland, Michigan 48642
Country: United States of America
Citizenship: United States of America
P. O. Address: Same as Residence

At: Benicia, California, 94510, USA
this ____ day of _____, 20____

Signature: _____
Full Name: Stuart I. Yaniger
Residence: 484 Jasper Court
Benicia, California 94510
Country: United States of America
Citizenship: United States of America
P. O. Address: Same as Residence

☐ Additional names and signatures are attached.

ADDED PAGE TO COMBINED DECLARATION AND POWER OF ATTORNEY
FOR SIGNING BY ONE JOINT INVENTOR ON BEHALF OF OMITTED
INVENTOR WHO REFUSES TO SIGN OR CANNOT BE REACHED (37 CFR
1.47a)

- I. I am an above named joint inventor and have signed this declaration on my own behalf and also sign this declaration under 37 CFR 1.47(a) on behalf of the omitted joint inventor, particulars for whom are:

Stuart Yaniger
omitted inventor who

- ☒ refuses to sign
☐ cannot be found or reached

Country of Citizenship of omitted inventor
United States of America

Last known address of omitted inventor


484 Jasper Court
Benicia, CA 94510

- II. Accompanying this declaration is:
(1) A Petition as required by 37 CFR §1.47(a)
(2) The Petition fee of \$130.00 (37 CFR §1.17(h))


DANIEL J. FALLA

Date: February 15, 2002

MAILED

By: 

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omitted inventor who

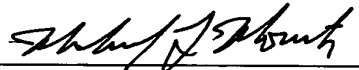
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United States of America

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Benicia, CA 94510

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MICHAEL L. MOUNTS

Date: February 20, 2002

MAILED

By: 

FEB 22 2002

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- ☒ refuses to sign
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United States of America

Last known address of omitted inventor

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(2) The Petition fee of \$130.00 (37 CFR §1.17(h))

Deborah E. Plaver
DEBORAH E. PLAVER

Date: February 20, 2002

MAILED

By: g

FEB 22 2002



UNITED STATES PATENT AND TRADEMARK OFFICE

COPY

Commissioner for Patents
United States Patent and Trademark Office
Washington, D.C. 20231
www.uspto.gov

Paper No. 6

THE DOW CHEMICAL COMPANY
INTELLECTUAL PROPERTY SECTION
PO BOX 1967
MIDLAND MI 48641-1967

RECEIVED

JUL 02 2002

PATENT MAIL ROOM

COPY MAILED

JUN 28 2002

OFFICE OF PETITIONS

In re Application of
Falla, et al.
Application No. 09/950,345
Filed: September 10, 2001
Attorney Docket No. 60665A
Title: GAS PERMEATION RESISTANT
SYNTHETIC CORK CLOSURE

DECISION ACCORDING STATUS
UNDER 37 CFR 1.47(a)

This is in response to the petition under 37 CFR 1.47, filed March 4, 2002 (Certificate of Mailing dated February 22, 2002), which is being treated as a petition under 37 CFR 1.47(a).

The petition under 37 CFR 1.47(a) is **GRANTED**.

The above-identified application was filed on September 10, 2001. On October 11, 2001, applicant was mailed a "Notice to File Missing Parts of Nonprovisional Application - Filing Date Granted," requiring an executed oath or declaration (and a surcharge for its late filing). This Notice set a two-month period for reply.

In reply, applicant filed the instant petition, and paid the surcharge for late filing of the declaration. To make timely this reply, applicant obtained a three month extension of time.

A grantable petition under 37 CFR 1.47(a) requires: (1) proof that the non-signing inventor cannot be reached after diligent effort or refuses to sign the oath or declaration after having been presented with the application papers (specification, claims, drawings, oath or declaration); (2) an acceptable oath or declaration in compliance with 37 CFR 1.63; (3) the petition fee; and (4) a statement of the last known address of the non-signing inventor.

Accompanying the petition were, *inter alia*,: (1) a declaration executed by co-inventors Daniel J. Falls, Michael L. Mounts, and Deborah E. Plaver, with the signature block for co-inventor Stuart J. Yaniger left blank; (2) a copy of a cover letter to Yaniger, transmitting the application papers, and (3) declarations from Nemia C. Damocles and Bethany Wagner, detailing the transmittal of the application papers, communications with Yaniger, and attesting that as of the filing of the instant

7-3-02
JER

COPY

Application No. 09/950,345

Page 2

petition, no executed declaration from Yaniger has been received.

While petitioner did not include a statement of Yaniger's last known address in the petition, the last known address of Yaniger is assumed to be that stated in the declaration.

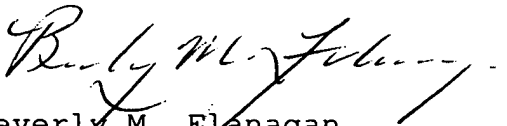
The declaration filed March 4, 2002 and the petition have been reviewed and found to be in compliance with 37 CFR 1.47(a). This application is hereby accorded Rule 1.47(a) status.

As authorized, Deposit Account No. 01-1512 has been charged the \$920 fee for the three month extension of time, the \$130 petition fee, and the \$130 surcharge for late filing of the declaration.

As provided in 37 CFR 1.47(c), this Office will forward notice of this application's filing to the non-signing inventor at the address given in the petition. Notice of the filing of this application will also be published in the Official Gazette.

The application file is being returned to the Office of Initial Patent Examination for continuation of pre-examination processing.

Telephone inquiries regarding this decision should be directed to Petitions Attorney Cliff Congo at (703) 305-0272.


Beverly M. Flanagan
Supervisory Petitions Examiner
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy



UNITED STATES PATENT AND TRADEMARK OFFICE

COPY

Commissioner for Patents
United States Patent and Trademark Office
Washington, D.C. 20231
www.uspto.gov

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PATENT MAIL ROOM

COPY MAILED

JUN 28 2002

OFFICE OF PETITIONS

STUART YANIGER
484 JASPER CT
BENICIA CA 94510

In re Application of
Falla, et al.
Application No. 09/950,345
Filed: September 10, 2001
Title: INTERACTIVE WIRELESS DEVICE
COMMUNICATION SYSTEM FOR MEETINGS AND
CONFERENCES

LETTER

Dear Mr. Yaniger:

You are named as a joint inventor in the above-identified United States patent application filed under the provisions of 35 USC 116 and 37 CFR 1.47(a), Rules of Practice in Patent Cases. Should a patent be granted on the application you will be designated therein as a joint inventor.

As a named inventor you are entitled to inspect any paper in the file wrapper of the application, order copies of all or any part thereof (at a prepaid cost per 37 CFR 1.19) or make your position of record in the application. Alternatively, you may arrange to do any of the preceding through a registered patent attorney or agent presenting written authorization from you. If you care to join the application, agent of record (see below) would presumably assist you. Joining in the application would entail the filing of an appropriate oath or declaration by you pursuant to 37 CFR 1.63.

Telephone inquiries regarding this communication should be directed to Petitions Attorney Cliff Congo at (703) 305-0272. Requests for information regarding your application should be directed to the File Information Unit at (703) 308-2733. Information regarding how to pay for and order a copy of the application, or a specific paper in the application, should be directed to the Certification Division at (703) 308-9726 or 1-800-972-6382 (outside the Washington D.C. area).

Beverly M. Flanagan
Beverly M. Flanagan
Supervisory Petitions Examiner
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy

Nemia C. Damocles
The Dow Chemical Company
Intellectual Property Section
PO Box 1967
Midland Mi 48641-1967

COPY

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant (s): Falla, et al.

Serial No.: 09/950,345

Group Art Unit: 3727

Filed: September 10, 2001

Examiner: Unknown

For: GAS PERMEATION RESISTANT SYNTHETIC CORK CLOSURE

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING
DEPOSITED WITH THE UNITED STATES POSTAL SERVICE, AS
FIRST CLASS MAIL WITH SUFFICIENT POSTAGE IN AN ENVELOPE
ADDRESSED TO: ASSISTANT COMMISSIONER FOR PATENTS,
WASHINGTON, DC 20231, ON:

February 22, 2002

DATE OF DEPOSIT

Beth L. Wagner

PRINT OR TYPE NAME OF PERSON SIGNING CERTIFICATE

Beth Wagner

SIGNATURE OF PERSON SIGNING CERTIFICATE

February 22, 2002

DATE OF SIGNATURE

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

REQUEST PURSUANT TO 37 C.F.R. §1.47

FILING WHEN AN INVENTOR REFUSES TO SIGN

Three of the coinventors, Daniel J. Falla, Michael L. Mounts and Deborah E. Plaver, of the above-identified application hereby petition the Commissioner to accept the new application without execution of the declaration by the other coinventor, Stuart J. Yaniger, because he refuses to join in the attached new application for patent. The fee for this petition under 37 C.F.R. §1.17(h) should be charged to Deposit Account No. 01-1512. A Deposit Account Order Form is attached hereto for accounting purposes.

Attached is a declaration of the undersigned agent summarizing the steps taken to have Mr. Yaniger execute the new application.

Mr. Yaniger's address and phone number is:

484 Jasper Court

Benecia, CA 94510

MAILED
MAILED
FEB 22 2002
FEB

By: *[Signature]*
BVC

60665A

COPY

Telephone: 877-636-2675, Ext. 106

In order to preserve the petitioners rights, the granting of this petition is necessary and in order. Favorable action resulting in the granting of this petition and the acceptance of the new application is respectfully requested.

Respectfully submitted,

Nemia C. Damocles

Nemia C. Damocles

Registration No. 28,368

Phone: (989) 636-9928

Date: February 22, 2002

P. O. Box 1967
Midland, MI 48641-1967

NCD/blw